



OFFICE OF THE STATE ATTORNEY

FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY



DAVE ARONBERG
STATE ATTORNEY

September 27, 2019

John Pacenti
Palm Beach Post

Via Electronic Mail: (jpacenti@pbpost.com)

RE: Estimated Cost for Public Records Request
State vs. Jason Shenfeld, 2007CF010450AMB
Our Public Record No.: 2019PR000365AMB

Dear Mr. Pacenti,

Thank you for contacting the Office of the State Attorney. Please accept this correspondence as our response to your Public Records Request received by our office on August 5, 2019, pertaining to the *closed* matter of State vs. Jason Shenfeld, Palm Beach County Case Number 2007CF010450AMB, for a copy of:

**"1. All documents in the prosecution and/or investigation of Jason Shenfeld, including case 2007-CF-010450,
2. Any associated complaints against him by other women/girls which were not prosecuted".**

In response to the first part of your request (1), your request consists of *approximately* 10,700 pages of information, 12 CD/DVDs and 2 VHS tapes.

There will be a special service charge based on the labor cost of the personnel providing the service incurred by this agency pursuant to Fla. Stat. §119.07(4)(d). This material will need to be reviewed for possible exemptions or necessary redactions from public disclosure pursuant to Florida Statute Section 119, by an employee whose hourly rate is \$37.26. It is *estimated* that it will take 214 hours of man power to scan, review, and redact the records, for an estimated total of \$7,973.64. In addition, to the special service charge, this office may charge up to .15 cents per page in actual copying costs pursuant to Florida Statutes Section 119.07(4)(a)(1). The cost of hard copies is \$1,605.00, or you may receive the pages of information and CD/DVDs in an electronic format via our Agency's CIP portal at no additional charge.

Additionally, the VHS tapes must be converted to DVD/CD format in order for us to be able to review them. The conversion, and copying process will be done by an employee who is an audio/visual specialist whose hourly rate is \$42.02. It is *estimated* that it will take 13 hours of manpower to complete this task. The *estimated* cost for this process is \$546.26.

Once the conversion of the VHS tapes is completed, the videos would need be reviewed and marked for any redactions or blurring to ensure that the victims and the officer's identities are protected pursuant to Florida Statute Section 119 and Marsys Law. The redaction and blurring process will be done by an employee who is an audio/visual specialist whose hourly rate is \$19.29. At this time we are unable to give you an estimated cost it would take to complete without the completion of this process and review of the CD/DVDs. Upon receipt of the deposit and complete review of the material, we will send you an estimated cost letter.

A 50% deposit from the *estimated* costs will be required in order for us to begin with the processing of your request, as authorized under Board of County Commissioners of Highlands County v. Colby, 976 So2d 31 (Fla. 2d DCA 2008), and Morris Publishing Group, LLC v. State, 154 So.3d 528, 534 (Fla. 1st DCA 2015). Please provide cash in the exact amount, check or money order payable to the Office of the State Attorney for the Fifteenth Judicial Circuit in the amount of **\$4,259.95** as a deposit towards the estimated cost of your request. Once we receive the deposit, we will work on your public records request in a timely manner. Please take note that these are estimates and that these amounts may change upon final review of the material.

Further, in response to the second (2) part of your request, unfortunately your request is too broad and undefined to constitute a record request amenable to production of specific records. This request must be narrowed to case numbers, defendant's names, or other more specific criteria in order to locate responsive documents.

If you would clarify and specify the precise case or the subject of the investigation you wish to receive, we will make every attempt to accommodate you. Public records law does not require an agency to do more than provide identified records. In other words, it is this agency's obligation, as a custodian of public records, to respond to requests for information as to copying costs and to furnish copies of records "when the person requesting them identifies the portions of the record with sufficient specificity to permit the custodian to identify the records" and forwards the fee. *Woodard v. State*, 885 So.2d 444, 445-46 (Fla. 4th DCA 2004). Florida courts have "consistently held that a defendant must plead with specificity the outstanding public records he seeks to obtain." *Rodriguez v. State*, 919 So.2d 1252, 1273 (Fla.2005); see also *Thompson v. State*, 759 So.2d 650, 659 (Fla.2000); *Geralds v. State*, 111 So. 3d 778, 802 (Fla. 2010), as revised on denial of reh'g (Feb. 2, 2012). Please advise how you wish to proceed with the second part of your request.

Lastly, any subsequent requests for information will be assigned a new public records number and be processed in accordance with Florida Public Records Law. If you have further questions, please feel free to contact me by e-mail at ncruz@sa15.org or directly at (561) 355-7247.

Sincerely,

Natalie Cruz,
Executive Assistant